IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 15804 of 2007(F)

OS.599/2003 of PRL.M.C.,IRINJALAKUDA

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PETITIONER:

GOPI, S/O.MANAPETTY CHATHUNNY, AGED 45,
MANAPETTY, PRATHISSERY VILLAGE, DESOM,
MUKUNDAPURAM TALUK.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

ISLAND KURIES PVT. LTD.,
MANAVALASSERY VILLAGE, MUKUNDAPURAM TALUK,
REPRESENTED BY MANAGING DIRECTOR SUGATHAN,
S/O.MANAPPETTI PUDUKKULAM KOCHAKKAN,
PROATHISSERY VILLAGE, DESOM, MUKUNDAPURAM TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J.

WP(C)No.15804 OF 2007 F

Dated this the 25th May, 2007.

JUDGMENT

This writ petition is filed challenging the issuance of arrest warrant. The order of arrest was made as early as on 18.3.2006 and it is seen from Ext.P3 order that an amount of Rs.2,000/- (Rupees two thousand only) was paid on 14.2.2007 to the counsel for the decree holders. Now, learned counsel for the writ petitioner wants to pay off the amount and some facility may be given to do so. Considering the request the writ petition is disposed of as follows:-

i) The writ petitioner is directed to pay an amount of Rs.10,000/- (Rupees ten thousand only) within a period of six weeks from today to the decree holder or his counsel.

ii) The balance amount be paid by him in four equal monthly instalments commencing from 1st of July, 2007. If the judgment debtor commits default in making the payment of Rs.10,000/- within the period of six weeks, he will not be entitled to the benefits given under this judgment and the decree holder will be at liberty to proceed with the execution by detaining the judgment debtor in civil prison.

M.N.KRISHNAN
Judge

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